

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ARONDA D. BROOKINS,	)	
	)	
Plaintiffs,	)	
	)	C.A. No. 07-3374
v.	)	
	)	JURY TRIAL DEMANDED
RED CLAY CONSOLIDATED SCHOOL	)	
DISTRICT,	)	
	)	
Defendant.	)	

**DEFENDANT RED CLAY CONSOLIDATED SCHOOL DISTRICT'S MOTION  
TO DISMISS FOR IMPROPER VENUE**

Pursuant to Federal Rule of Civil Procedure 12(b)(3) and 42 U.S.C.A. § 2000e-5(f)(3), defendant Red Clay Consolidated School District, hereinafter “Red Clay”, respectfully moves for an order dismissing plaintiff’s claims against it for improper venue. In support of its motion, defendant Red Clay offers the following:

1. Defendant Red Clay is a school district located in New Castle County in the State of Delaware. Defendant Red Clay’s main offices are located at: 4550 New Linden Hill Road, Wilmington, DE, 19808. Defendant Red Clay operates and maintains its records entirely within New Castle County in the State of Delaware.
  
2. Plaintiff Aronda Brookins is a resident of the State of Delaware residing at: 108 Chestnut Avenue, Apartment #2, Wilmington, DE, 19808. According to Ms. Brookins’ Statement in Support of Request to Proceed In Forma Pauperis, D.I. 1, Ms. Brookins is currently employed at the Sleep Inn Hotel, 630 South College Avenue, Newark, DE, 19713.

3. On September 4, 2007, Ms. Brookins filed suit against defendant Red Clay in the United States District Court for the Eastern District of Pennsylvania alleging that defendant Red Clay violated her civil rights with respect to an improper employment termination which occurred in the State of Delaware.

4. The Eastern District of Pennsylvania is not a proper venue for this case as the alleged unlawful employment practice occurred in the State of Delaware, defendant Red Clay maintains its records in the State of Delaware, Ms. Brookins continues to work in the State of Delaware, and defendant Red Clay's only offices are within New Castle County in the State of Delaware. 42 U.S.C.A. § 2000e-5(f)(3).

In conclusion, for the above stated reasons, defendant Red Clay requests that this Court dismiss the claims against them for improper venue.

**WHITE and WILLIAMS LLP**

/s/ John D. Balaguer  
**JOHN D. BALAGUER** (PA Bar #45108)  
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*Attorney for Defendant, Red Clay  
Consolidated School District*

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## **ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, upon consideration of  
*Defendant Red Clay Consolidated School District's Motion to Dismiss* and any response thereto,  
**IT HEREBY IS ORDERED AND DECREED** that the motion is **GRANTED** and the

**BY THE COURT:**

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J. Katz

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DISTRICT,	)	
	)	
Defendant.	)	

**CERTIFICATE OF SERVICE**

I, John D. Balaguer, Esquire do hereby certify that on this 12<sup>th</sup> day of November, 2007, two copies of the foregoing **DEFENDANT RED CLAY CONSOLIDATED SCHOOL DISTRICT'S MOTION TO DISMISS FOR IMPROPER VENUE** were served upon the following via CM/ECF and regular U.S. First Class Mail, postage prepaid:

Aronda D. Brookins  
108 Chestnut Avenue #2  
Wilmington, DE 19808  
*Pro Se*

**WHITE and WILLIAMS LLP**

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